

In the City Council
City of Lodi
Lodi, California

ORDINANCE NO, 622

AN ORDINANCE ESTABLISHING PARKING REGULATED BY PARKING METERS AND REPEALING ORDINANCE NO, 353 BEING AN ORDINANCE ENTITLED "AN ORDINANCE RELATING TO TRAFFIC AND REGULATING THE USE OF STREETS AND HIGHWAYS IN THE CITY OF LODI: CREATING AND DEFINING PARKING METER ZONES: PROVIDING FOR THE DESIGNATION OF INDIVIDUAL PARKING SPACES: DEFINING AND PROVIDING FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF PARKING METERS: PRESCRIBING PARKING TIME LIMITS: REQUIRING DEPOSIT OF COINS FOR THE USE OF PARKING METERS AND PARKING METER ZONES AND PROVIDING FOR THE COLLECTION AND DISPOSITION OF SUCH COINS; REPEALING CONFLICTING ORDINANCES: PROVIDING FOR THE ENFORCEMENT HEREOF: DEFINING OFFENSES AND PRESCRIBING PENALTIES; AND PROVIDING THAT INVALIDITY OF PART SHALL NOT AFFECT THE VALIDITY OF THE REMAINDER", AND REPEALING ORDINANCE NO, 524, WHICH ORDINANCE AMENDED SECTION "6 b" OF SAID ORDINANCE NO, 353

The City Council of the City of Lodi does ordain as follows:

SECTION 1. Ordinance No. 353, being commonly known as "Parking Meter Ordinance" and Ordinance No, 524, amending said ordinance be and the same are hereby repealed in full.

SECTION 2. DEFINITIONS, For the purpose of this ordinance:

(a) The word "vehicle" shall mean any device in, upon or by which any person or property is transported on a street or highway other than upon rails or tracks,

(b) The word "street" shall mean any public street, avenue, road, alley, highway, lane, path, or other public place located in the City of Lodi and established for the use of vehicles,

(c) The word "person" shall mean and include any individual, firm, co-partnership, association or corporation,

(d) The word "operator" shall mean and include every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or is in actual physical control of a vehicle,

(e) The word "park" or "parking" shall mean the standing of a vehicle, whether occupied or not, upon a street or parking meter space otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signs or signals or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle,

(f) The words "Parking Meter" shall mean and include any mechanical device or meter not inconsistent with this ordinance placed or erected for the regulation of parking by authority of this ordinance, Each parking meter installed shall indicate by proper legend the legal parking time established by the City and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

(g) The words "Parking Meter Space" shall mean any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street or space adjacent to or adjoining the parking meters,

(h) Holidays shall include the following days only: January 1, February 22, May 30, July 4, November 11, December 25, the Monday following any Sunday on which any such day follows, the first Monday in September, the Thursday in November appointed as Thanksgiving Day, Good Friday between the hours of 12:00 p.m. to 3:00 p.m., and Sunday.

SECTION 3. ESTABLISHMENT OF PARKING METER ZONES. The City Council shall, by resolution from time to time as traffic conditions require, establish zones to be known as "Parking Meter Zones", upon such streets or portions of streets and upon such City-owned lots or off-street parking lots within the City of Lodi, and in the event parking meters are installed as provided in this ordinance along the curb next to or adjacent to any parking spaces in such zones, the provisions of this ordinance shall govern parking in such parking space.

SECTION 4. RESOLUTION AUTHORIZING INSTALLATION AND LOCATION. The City Council may, by resolution, specify the streets or portions of streets or City-owned or leased off-street parking lots within the parking meter zones wherein the parking meters shall be installed together with the maximum parking time limit thereon, and the City Engineer is hereby authorized and directed to install or direct the installation of parking meters in such parking meter zones as so directed by the City Council for the purpose, and in such numbers and at such places as may be necessary to the regulation, control and inspection of the parking of vehicles therein, including the reservation of loading zones for commercial vehicles.

SECTION 5. INSTALLATION AND CONSTRUCTION. Parking meters installed in parking meter zones shall be installed upon the curb or in the case of off-street parking lots in the space immediately adjacent to the individual parking space described in the following section, and each parking meter shall be so constructed and adjusted as to show when properly operated and signal that the space adjacent to which it is installed is or is not legally in use.

SECTION 6, CITY ENGINEER TO MARK PARKING SPACES; PARKING WITHIN MARKED SPACES. The City Engineer shall have Pines and markings painted upon the curb or street or City-owned or leased off-street parking lot adjacent to each parking meter, designating the parking space for which such meter is to be used, and each vehicle parked adjacent to any parking meter shall park within such line of marking. It shall be unlawful to park any vehicle across any such Pine or marking, or to park a vehicle in such a position that it shall not be entirely within the space designated by such lines or markings,

SECTION 7, PARKING BEYOND LEGAL PARKING TIME PROHIBITED. It shall be unlawful for any person to cause, allow or permit or suffer any vehicle registered in his name or operated or controlled by him to be upon any street or City-owned or leased off-street parking lot within a parking meter zone in any space adjacent to which a parking meter is installed for more, than the maximum parking time limit fixed and established by resolution of the City Council and indicated in the parking meter space, or any time during which the meter is showing a signal indicating that such space is illegally in use other than such time as it is necessary to operate the meter to show legal parking, between the hours of 9:00 A.M. and 6:00 P.M. of any day, except that such parking limitations shall not be operative on any Sunday or holiday.

Each hour of continued parking during which the meter is showing a signal indicating that such space is illegally in use shall constitute a separate offense and shall be punishable as such.

SECTION 8, OPERATION OF METERS TO BE PRESCRIBED BY COUNCIL.

The denomination of the United States coin that shall be deposited in parking meters, the parking time allowed following the deposit of such coin and the directions which shall appear on the parking meters shall be such as may be prescribed by the City Council by resolution,

SECTION 9. DEPOSIT OF COINS -- REQUIRED, Each parking meter shall be so designated that the deposit of a coin of the United States will set the mechanism of the meter in motion, or permit the mechanism to be so set in motion that the meter will show the unexpired parking time applicable to the parking space adjacent to the meter, and the meter when such parking time has expired shall so indicate by a visible sign.

SECTION 10. DEPOSIT OF COINS- WAIVER BY COUNCIL, The Council may, by resolution, provide for and establish a monthly, quarterly, semiannual or annual charge payable in advance for the use of a parking meter space in each City-owned or leased off-street parking lot and the City Council, by resolution, may restrict the number of such spaces in any such lot that shall be rented or such basis,

The Council, by resolution, shall provide the necessary means or methods of evidencing the payment of such charge by parking meter hoods, stickers or other similar device,,

SECTION 11. TEMPORARY PERMITS FOR USE OF METERED SPACES,

(a) Permit to use for public displays, The City Council upon application therefor may grant temporary permits for the use of parking meter spaces for public display purposes.

(b) Permit to park construction equipment, The Chief of Police upon application may grant a permit for parking of construction equipment where necessary because of construction work on abutting property.

(c) Posting no parking signs and meter hoods, The Chief of Police is hereby authorized in those instances: (1) Where it is required to facilitate the movement of traffic; and, (2) where a permit has been issued for the use of parking meter spaces, to post no parking signs or hoods prohibiting parking in the parking meter spaces, and in such instance the Chief of Police shall conspicuously post on each parking meter for each parking meter space wherein parking is to be prohibited or limited in use, as above provided, no parking signs or hoods over the parking meters.

(d) Parking in violation of no parking sign or hood, Any person, except for those given permission by the City Council, parking a vehicle in any parking meter space which has been conspicuously posted with a no parking sign or hood as provided in the preceding paragraph shall be guilty of a violation of this ordinance.

(e) Illegal posting of no parking sign or hood, Any person posting a no parking sign or hood on any parking meter on a parking space not included in the permit shall be guilty of a violation of this ordinance,

(f) Charges and deposits, The Council may, by resolution, provide and establish a charge to be made in those instances where public display or construction equipment is to be parked in a parking meter space, which charge shall be paid in advance to the Police Department of the City or such other department as the Council may determine by resolution. The Council, by resolution, may also provide for a deposit for hoods or signs and provide the necessary means or methods of evidencing the method of payment of such charge by stickers or other similar device.

SECTION 12. USE OF SLUGS UNLAWFUL. It shall be unlawful for any person to deposit or cause to be deposited in any parking meter any slug, device or other substitute for a coin of the United States.

SECTION 13. TAMPERING WITH METER UNLAWFUL. It shall be unlawful for any unauthorized person to operate, or for any person to deface, injure, tamper with, or wilfully break, destroy or impair the usefulness of any parking meter installed pursuant to this ordinance, or to hitch any animal thereto, or lean any bicycle against any meter.

SECTION 14. COLLECTION OF COINS FROM PARKING METERS. The Finance Director is hereby authorized, and it shall be his duty, to designate some person or persons to make regular collections of the money deposited in said parking meters, It shall be the duty of such person or persons so designated to collect and deliver to the Finance Director all money deposited in the parking meters, The Finance Director shall keep accurate account of all the parking meter money so delivered to him.

SECTION 15. USE OF MONEY'S COLLECTED. All charges for use of parking meter spaces as provided in this ordinance are hereby levied and assessed as the fee to provide for the proper regulation, control and inspection of traffic upon the public streets or off-street parking lots, as the case may be; to cover the cost of supervising, regulating and inspecting the parking of vehicles in the parking meter zones provided for in this ordinance; the cost of the acquisition, installation, operation, maintenance, repair and replacement of parking meters and expenses incidental thereto; the acquisition by purchase or lease, establishment, improvement, operation, maintenance, repair and replacement of off-street parking facilities; and the payment of principal of and interest and prior redemption premiums on bonds issued to finance the acquisition and construction of such facilities.

SECTION 16. ENFORCEMENT; ISSUING CITATIONS, It shall be the duty of the Police Department to enforce the provisions of this ordinance.

(a) It shall be the duty of each meter inspector to keep an account of and report the number of each parking meter which indicates that vehicle occupying the parking space adjacent to such parking meter is or has been parked in violation of the provisions of this ordinance, the date and hour of such violation, the make and state license number of such vehicle and any other facts a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation,

(b) Be shall issue and attach in writing a citation for illegal parking in the same form and subject to the same procedure provided for by the ordinances of the City and the laws of the state applicable to traffic regulations within the City,

(c) Any operator or owner of a vehicle to whom a citation has been issued may, within twenty-four hours of the time of the issuance of said citation, pay to the Clerk of the District Court as a penalty for and in full satisfaction of such violation the sum of Fifty (50) Cents, The failure of such owner or operator to make such payment within said twenty-four hours shall render such owner or operator subject to the penalties hereinafter provided for violation of the provisions of this ordinance.

SECTION 17, PENALTY, Any person who shall violate or fail to comply with any of the provisions of this ordinance, or who shall counsel, aid or abet any such violation or failure to comply, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not to exceed \$50.00 or by imprisonment for not to exceed 30 days, either or both penalties to be imposed at the discretion of the court.

SECTION 18. The City Clerk shall certify to the passage of this ordinance and cause the same to be published one time in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect thirty days from and after its passage.

Approved this 3rd day of September, 1958.

BOZANT KATZAKIAN, Mayor

Attest:

BEATRICE GARIBALDI, City Clerk

I, BEATRICE GARIBALDI, *City Clerk* of the City of Lodi and *ex officio Clerk* of the City Council, do hereby certify that Ordinance No. 622 was introduced at a regular meeting of the City Council held August 20, 1958, and was thereafter passed, adopted and ordered to print at a regular meeting held September 3, 1958, by the following vote:

AYES: Councilmen - Brown, Culbertson, Mitchell, Robinson
and Katzakian

NOES: Councilmen - None

ABSENT: Councilmen - None

I further certify that Ordinance No. 622 was approved and signed by the Mayor on the *date of its* passage and that the same has been published pursuant to law.

BEATRICE GARIBALDI
City Clerk